Rainmore County Government
Office of county Veinaustration
and Development Management

Gecember 3, 1992

1.1 West Chesapeake Avenue Towson, MD (2120)

(410) 887-3353

Penjamin and Judy Hassan 11016 Park Heights Avenue Owings Mills, Maryland 21117

:: CASE NUMBER: 43-183-A

LOCATION: W/S Park Heights Avenue, 520' N of c/l Melissa Court

!!cle Park Heights Avenue

3rd Election District - 3rd Councilmanic

Dear Petitioner(s):

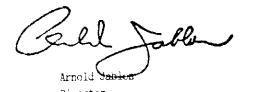
Please be advised that your fetition for Administrative Joning Variance has been assigned the above case number. Any contact made with this cifice should reference the case number. This letter also serves as a refresher regarding the administrative process.

The cour property will be posted on or before December 20, 1992. The closing date (January 4, 1993) is the cheadanne for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested runief, (b) deny the requested rulief, or (c) demand that the matter be set in for a public hearing. Too will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) in cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

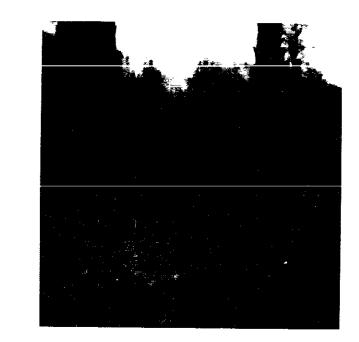
3) Please be advised that you must return the sign and post to this office. They may be returned after the classing date. Failure to return the sign and post will result in a \$50.00 charge.

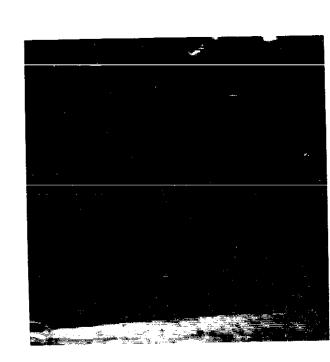
FUMASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FURWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

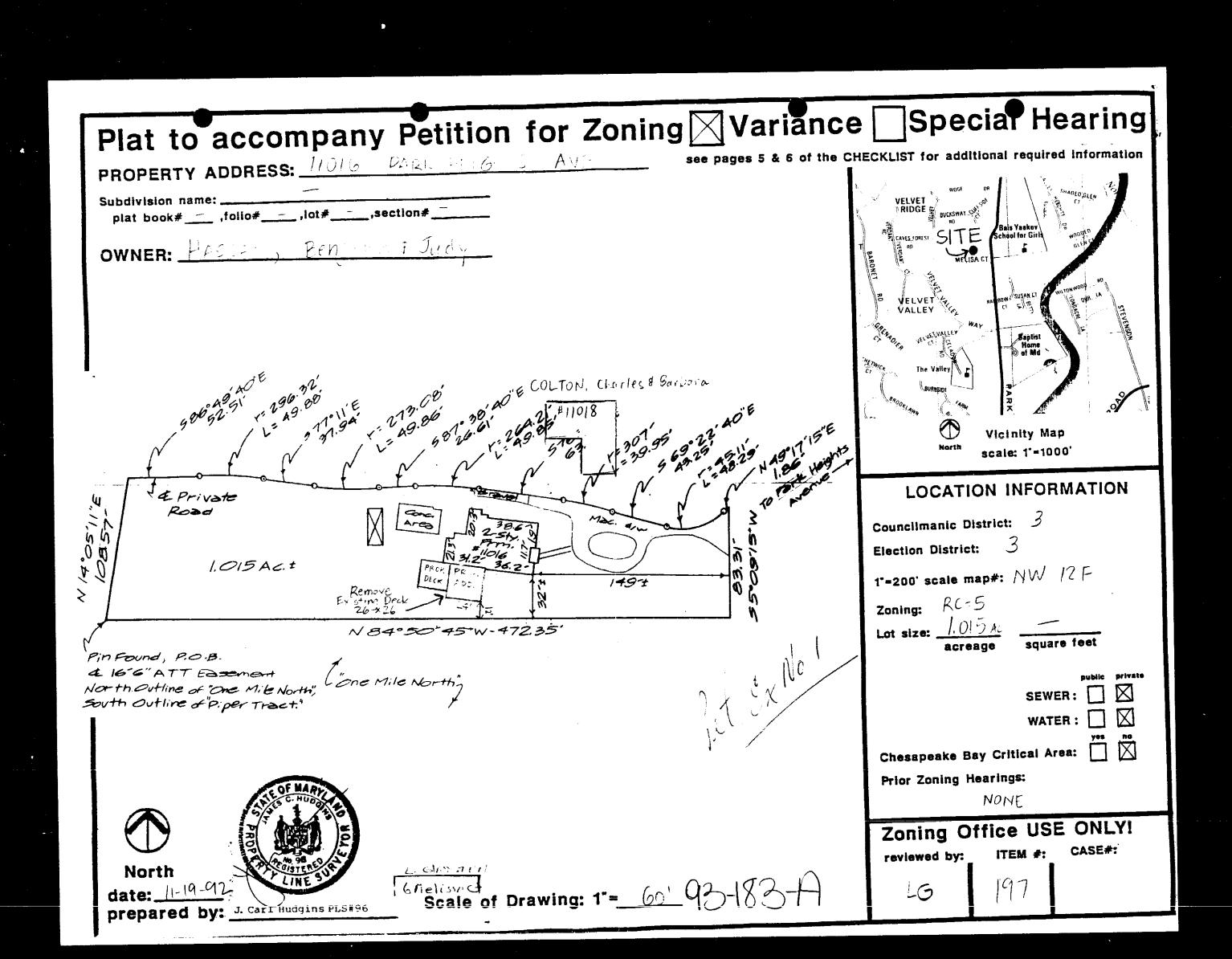


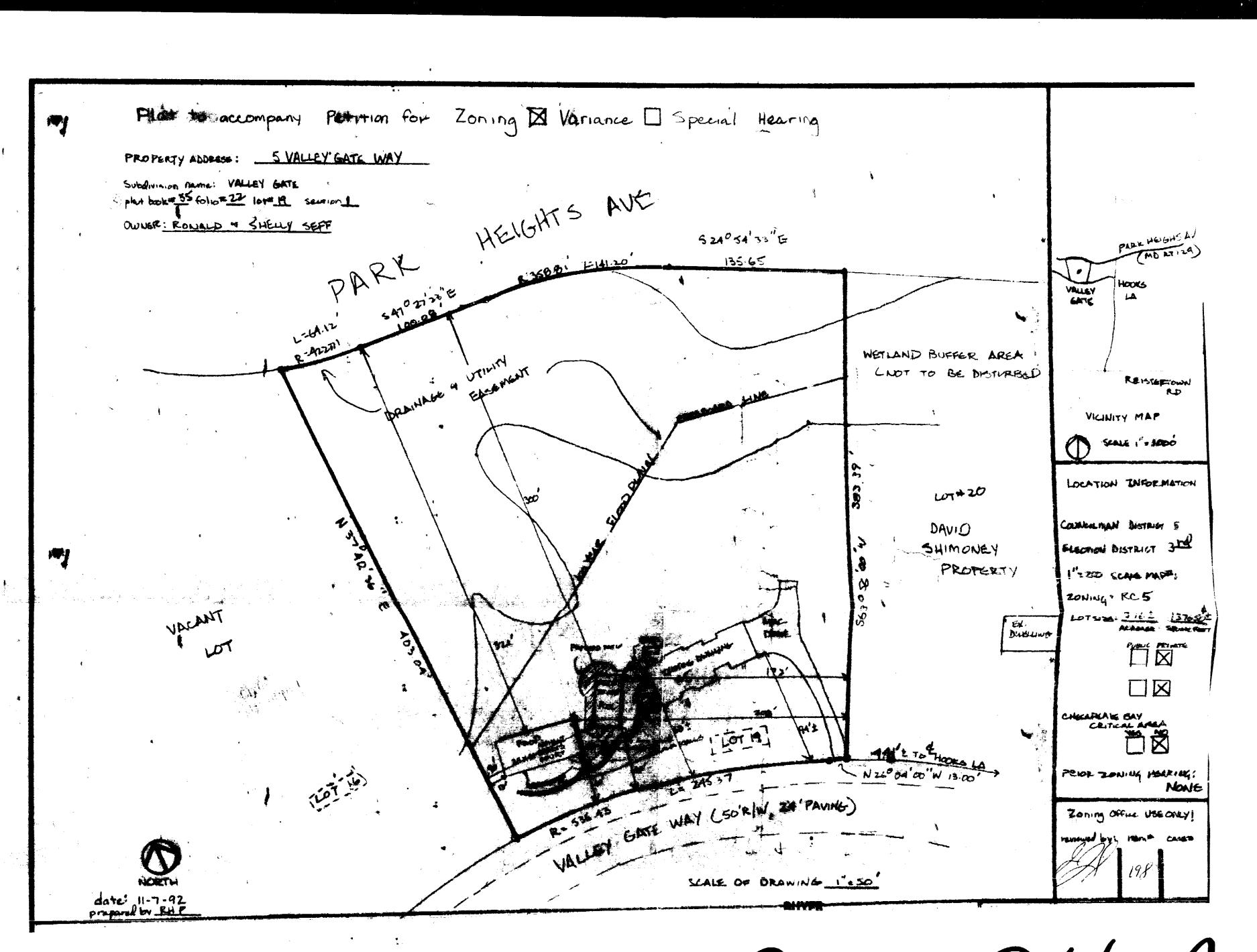












93-184-1



FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

The Petitioners herein request a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow two accessory structures (pool and sports Court) to be located in the front/side yard. in lieu of the required rear yard, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from his immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow two accessory structures (pool and sports court) to be located in the front/side yard, in lieu of the required rear yard, in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original

> > -2-

AWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

day of February, 1993 that the Petition for a Variance

that proceeding at this time is at their own risk condition.

Baltimore County Government Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

February 23, 1993

Mr. and Mrs. Ronald Seff 5 Valley Gate Way Pikesville, Maryland 21208

> RE: Petition for Administrative Zoning Variance Case No. 93-184-A 5 Valley Gate Way

Dear Mr. and Mrs. Seff:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Zoning Commissioner

LES:mmn encl.



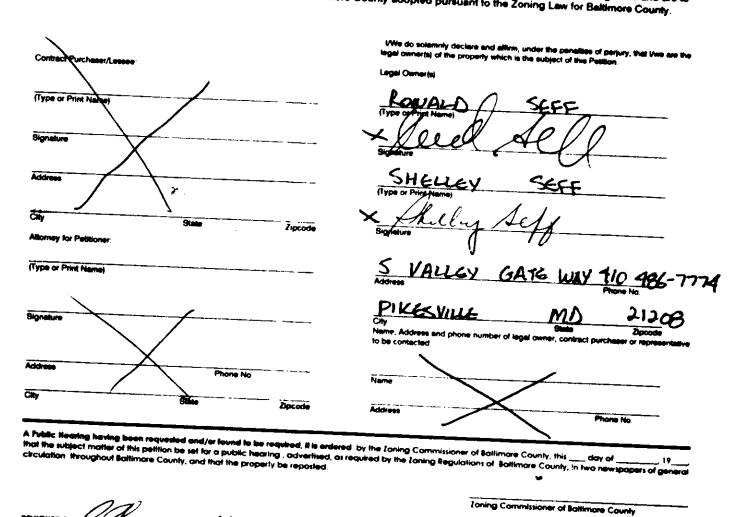
Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 5 VALLEY GATE WAY

which is presently sensed RC-5 This Petition shall be filed with the Office of Zening Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat etlached

400.1 To allow 2 accessory structures (pool & sports Court) to be located in the side/front yard in lieu of the required rear yard of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) TO BUILD A 20X90 ENGROUND CONCRESS POOL IN THE SIDE YARD AND A 29X61 ASPHALT SPORTS COURT IN THE SIDE YARD PROTRUDING INTO THE FRONT YARD DUE TO BACK

YARD CONTAINING SEPTIC PESERVE, FLOOD PLAIN EASEMENT AND WETLAND BUFFER AREAS Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.



ITEM #: 198

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) in/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does to presently reside at 5 VALLEY GATE WAY

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative

TO BUILD A 20 X40 INSPOUND CONCAZIE POOL IN THERE SIDE YARD AND TO RULLD AN ASDUALT 29 x GI SPORTS COURT IN THOIR SIDE YARD AND PROTENDING INTO THEIR FRONT YARD DUE TO BACK YARD CONTAINING SETTIC RESERVE AND FLOOD PLANU FASSMENT AND WOILAND BUSIER AREAS

I HEREBY CERTIFY, this /6 day of NUVEMALA, 1992, before me, a Notary Public of the State of Maryland, is and for the County aforesaid, personally appeared RONALA MA SHELLEY SEFF

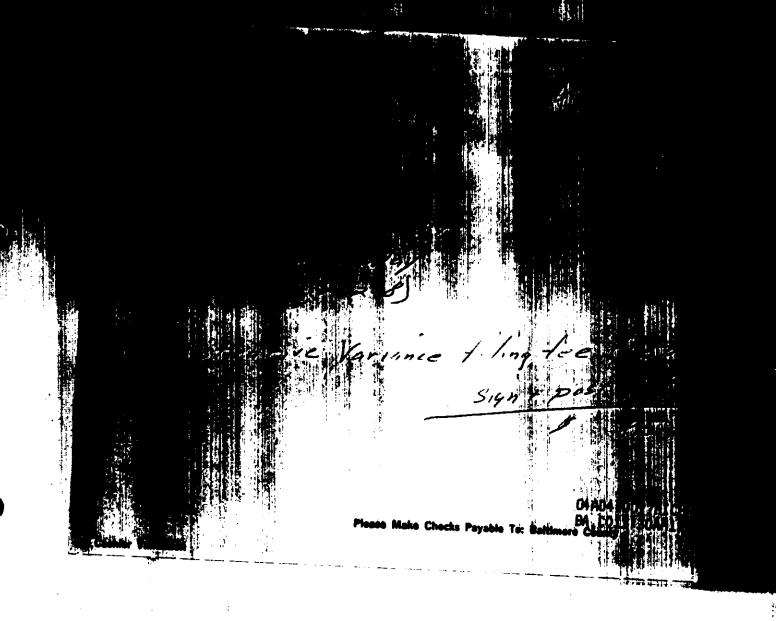
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiants(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal. 11-16-92

Zoning Description #198 #5 Valley Gate Way

Beginning at a point on the East Side of Valley Gate Way, 441ft NW of the Centerline of Hooks Lane. Being Lot No. 19 in the Subdivision Section one, Valley Gate as recorded in Baltimore County Plat Book 55 folio 22 Containing 3.16 ac.t. Also Known as 5 Valley Gate
Way and located in the 3th Election District.

District 3rd	Strelley SEFF (4 60 to Way (5) 441 N/Hucks Long
Posted for:	SHalley SEFF
Petitioner:	La Botoway (5) HHI N/Hocks Long.
Location of property:	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Facing You	dway, ax property of Patitions.
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recine a aleman	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Location of Carrier and Carrie	Date of return: 12/18/92



FIRE IL STARLES CALS 1421616 Office working are placed a page. ONG PUSCIME START ACCEPT HAVE FOR LAST NAME OF OBJULY: SILL

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

December 22, 1992

(410) 887-3353

Mr. and Mrs. Ronald Seff 5 Valley Gate Way Pikesville, MD 21208

RE: Case No. 93-184-A, Item No. 198 Petitioner: Ronald Seff, et ux Petition for Administrative Variance

Dear Mr. and Mrs. Seff:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this

4th day of December 1992.

Zoning Plans Advisory Committee

Petitioner: Ronald Seff, et ux Petitioner's Attorney:

DPW/Developers Engineering Division (Public Services) Meeting Date

12-14-92 NC DED DEPRM RP STP TE Richard C. and Nancy G. Powell DED DEPRM RP STP TE Huntington Development Corporation Comund

Nancy E. and David M. Paige Albert J. And Marlene C. Riggio

Benjamin J. and Judy B. Hassan

Ronald and Shelley Seff DED DEPRM RP STP TE

Stonegate at Patapsco (Azreal Property)

ZON DED TE (Waiting for developer to submit plans first) COUNT 1

FINAL TOTALS

* * * END OF REPORT * * *

State Highway Administration

9349-92 Hal Kassoff

Dear Ms. Winiarski:

County Office Building

111 W. Chesapeake Avenue

Towson, Maryland 21204

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

SPW/Traffic Engineering 12/18/92 Development Review Committee Response Form Authorized signature Project Name File Number Zoning Issue Meeting Date Catherine L. Graham Huntington Development Corporation DED DEPRM RP STP TE Nancy E. and David M. Paige DED DEPRM RP STP TE DED DEPRM RP STP TE DED DEPRM RP STP TE Benjamin J. and Judy B. Hassan Stonegate at Patapsco (Azreal Property) ZON DED TE (Waiting for developer to submit plans first)

COUNT 9

*** END OF REPORT ***

Baltimore County Government Fire Department

700 East Joppa Road Suite 901 Towson, MD 21286-5500

DECEMBER 15, 1992

(410) 887-4500

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

RE: Property Owner: RONALD SEFF AND SHELLEY SEFF

Location: #5 VALLEY GATE WAY

Item No.: * 198(JJS) Zoning Agenda: DECEMBER 14, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Special Inspection Division

JP/KEK

Baltimore County Government Office of Zoning Administration and Development Management



(410) 887-3353

Ronald and Shelley Seff 5 Valley Gate Way Pikesville, Maryland 21208

111 West Chesapeake Avenue

Towson, MD 21204

LOCHTION: E/S Valley Gate Way, 441 M of c/l Hooks Lane 5 Valley Gate Way 3rd Election District - 3rd Councilmenic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before December 20, 1992. The closing date (January 4, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) dany the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

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PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORMARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

93-184-A 1-4-93

BALTIMORE COUNTY, MARYL D

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

DATE: December 23, 1992 Mr. Arnold Jablon, Director Zoning Administration and Development Management

Division at 887-3980 to schedule a site inspection.

FROM: J. Lawrence Pilson Development Coordinator, DEPRM

Zoning Item #198 5 Valley Gate Way Zoning Advisory Committee Meeting of December 14, 1992

The Department of Environmental Protection and Resource Management offers the following comments on the above referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

The proposed accessory structures may encroach into the required 25-foot wetland buffer in the proposed location. Field delineation of non-tidal wetlands is required before final locations of structures is determined and before issuance of building permit. Show well and septic locations on plat. Contact Mr. Keith Kelley of the Environmental Impact Review

VALLEY/TXTSBP

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

(410) 887-4386

January 12, 1993

Mr. and Mrs. Ronald Seff 5 Valley Gate Way Pikesville, Maryland 21208

Suite 113 Courthouse

Towson, MD 21204

400 Washington Avenue

RE: Petition for Administrative Variance Case No. 93-184-A

Dear Mr. and Mrs. Seff:

I have received for consideration your Petition for Administrative Variance to construct two accessory structures (pool and sports court) in the side/front yards of your property located at 5 Valley Gate Way in Pikesville.

Enclosed please find a copy of inter-office correspondence received from the Office of Planning and Zoning and the Department of Environmental Protection and Resource Management relative to your request. Kindly note that these agencies request that additional information be shown on the site plan. Specifically, the plan should be revised to show well and septic location, the wetland buffer area and the topography of the property. Kindly re-submit your plan to my attention to Room 113, Court House, 400 Washington Avenue, Towson, Maryland 21204, with this requested information. Upon receipt of same, your Petition for Administrative Variance will be evaluated and a written decision will be forwarded to you.

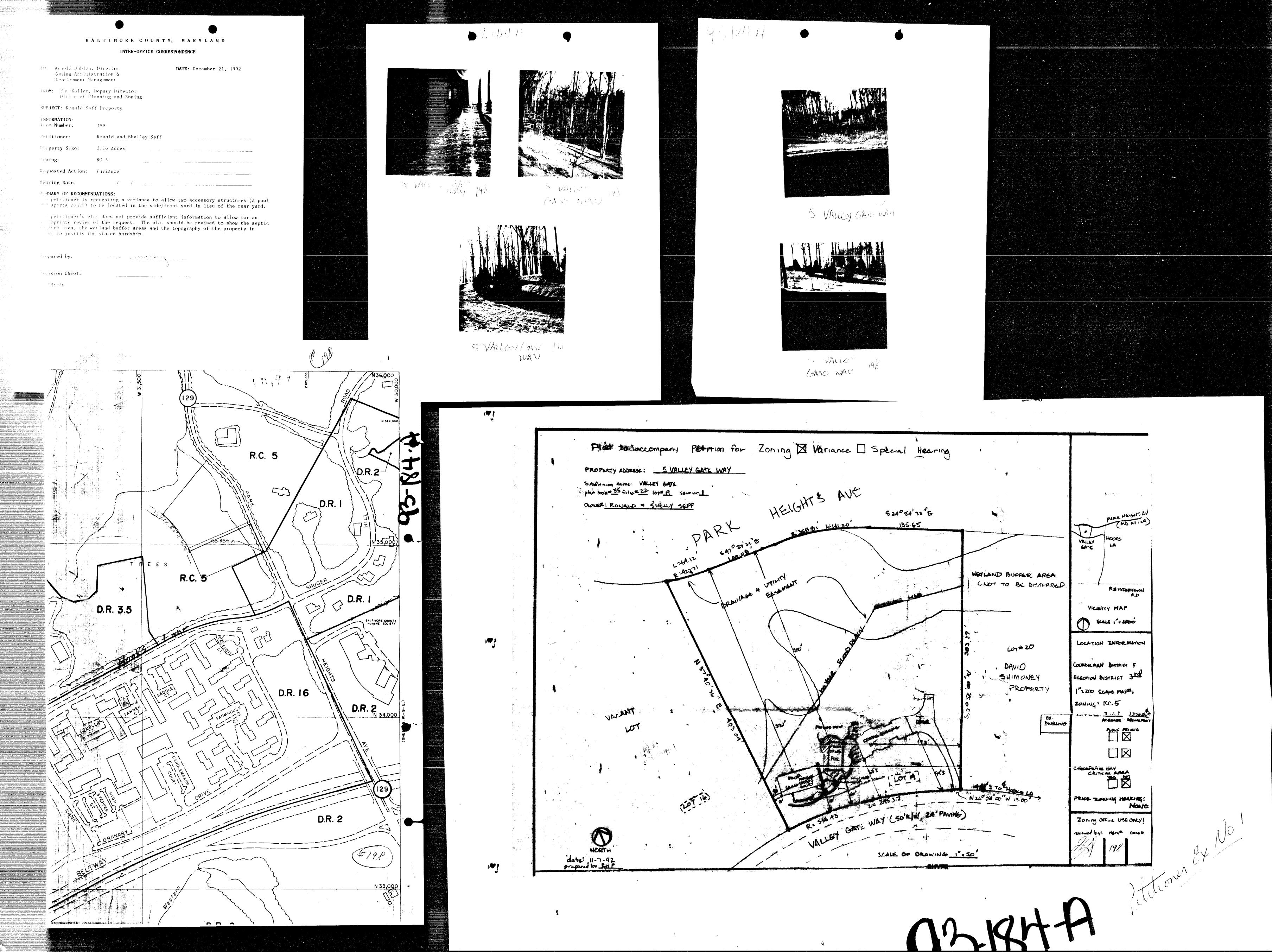
Lawrence E. Schmidt

LES:mmn encls.

Printed on Recycled Paper

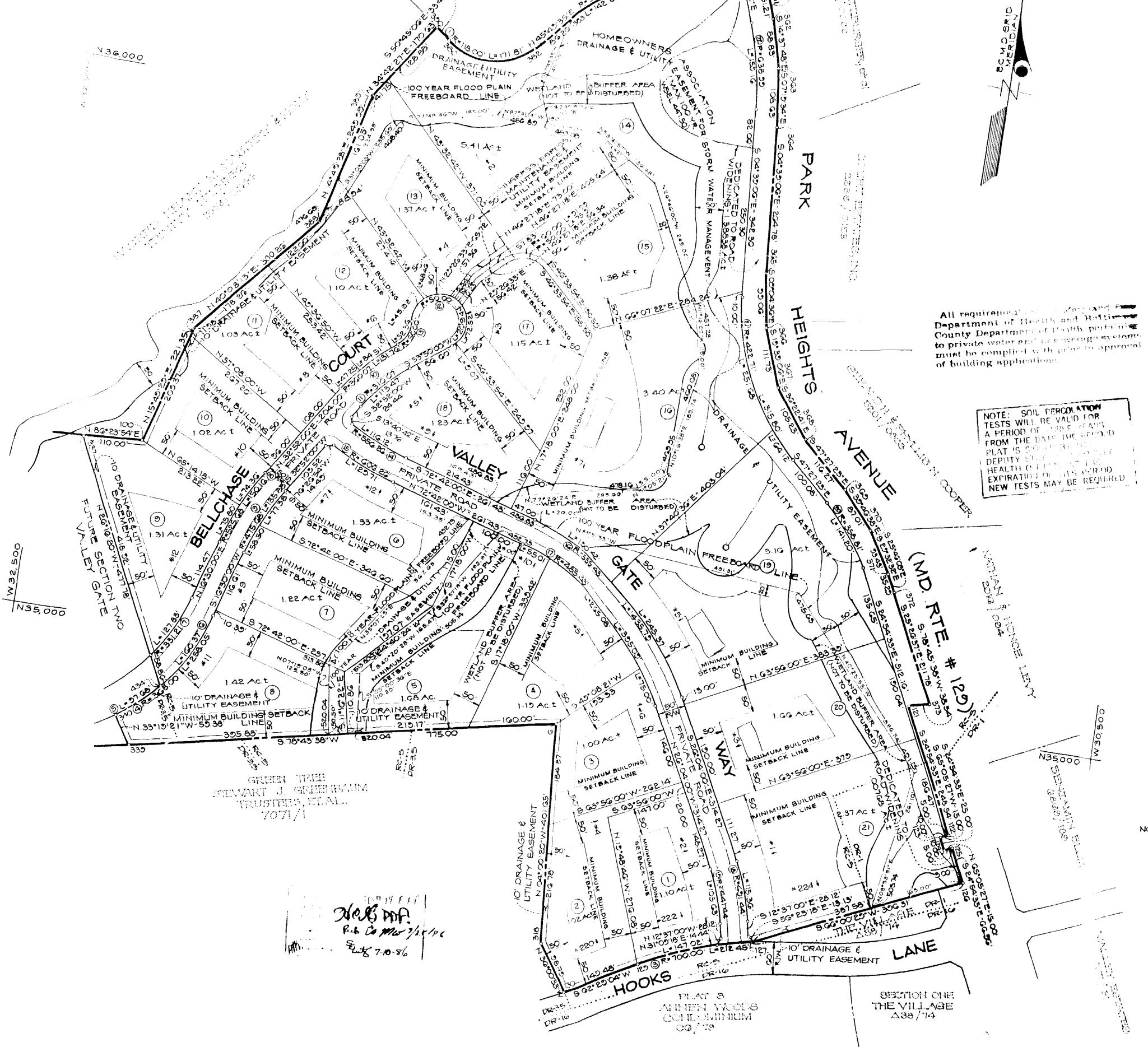
Zoning Commissioner

sake Monney. 0 / 19/12 / 19/12



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LOCATION MAP BENCH MARK X-13158

SET RAILROAD SPIKE IN MACADAM LO' DEF EDGE ON EAST SIDE OF PARK HEIGHTS AVE

AREA OFTRACT: 40.33 AC 2. EXIGETING ZONING:

DR 35 PRESENT USE: WOODLANDS & ACRICULTURAL 4 PROPOSED USE: SINGLE FAMILY DETACHED UNITS 5 NUMBER OF DENSITY UNITS ALLOWED: 26

DR-1 (1×128 = 128 UNITS) + 1 UNIT RC-5 (GGT - 38.88 - 25.93 INITS) - 25 UNITS DR-35 (3,5 x 0.17 = 0.60 UNITS) -- 0 UNITS

G NUMBER OF DWELLING UNITS PROPOSED: 21 RC 5 LOTS 7 MINIMUM AREA OF LOTS!

RC-5 (MIN. I AC LOTS TO BE SOLD)

8 ALL DWELLING UNITS WILL BE SOLD 9 NUMBER OF PARKING SPACES REQUIRED 42

DWELLING UNITS x 2 SPACES/DW UN = 42 10 NUMBER OF PARKING SPACES PROPOSED: 42

(MINIMUM SIZE D'XIB) OPEN SPACE REQUIRED NONE

OPEN SPACE PROPOSED NOHE 13. ALL DRIVEWAYS AND PARKING AREAS TO BE PAVED WITH A DURABLE

DUSTLESS SURFACE (TAR & CHIP PAVING) 14. WATERSHED Nº 27

IS PUBLIC WATER & SEWER NOT AVAILABLE

IG. DRAINAGE AREA: JONES FALLS WATERSHED 17. THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN

16. PANHANDLE DRIVES WILL BE MAINTAINED BY THE OWNERS OF THE

PROPERTIES SERVED. TOTAL AREA OF ROAD DEDICATION' 1.40 AC 20. WATER APPROPRIATION PERMIT # 86-6-015

21. PROPOSED GRADING WILL BE LIMITED TO THE HOUSE AND DRIVEWAY LOCATIONS AND SUCH AREAS IMMEDIATELY:

ADJACENT AS REQUIRED TO PROVIDE POSITIVE DRAINAGE. 22. THE DEVELOPER IS TO MAKE EVERY REASONABLE EFFORT TO PROVIDE

MAIL AND REPUSE SERVICES ALONG PANHANLE DRIVES IF EFFORT FAILS, TRASH & MAIL PAD AREAS WILL BE PROVIDED REFUSE TO BE TO BE COLLECTED BY BALTIMORE COUNTY 23. ALL RIGHTS-OF-WAYS, EASEMENTS, RESERVATIONS, FLOOD PLAINS, ETC

TO BE DEDICATED TO BALTIMORE COUNTY. 24. HIBHWAY AND HIGHWAY WIDENING, SLOPE, DRAINAGE & UTILITY EASEMENTS SHOWN HEREON ARE RESERVED UNTO THE DEVELOPER

AND ARE HEREBY OFFERED FOR THE DEDICATION TO BALTIMORE COUNTY, MARYLAND THE DEVELOPER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND AT NO COST.

25. RECORDING OF THE PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, BASEMENT, PARK, OPEN SPACE OR

OTHER PUBLIC AREA SHOWN ON THIS PLAT 26 THE PLAT MAY EXPIRE IN ACCORDANCE WITH PROVISIONS OF

SECTION 22-GB BILL #5G-82 27. THE RECORDING OF THE PLAT DOES NOT GUARANTEE INSTALLATION OF

STREETS OR UTILITIES BY BALTIMORE COUNTY 28. THE INFORMATION SHOWN MAY BE SUPERCEDED BY A SUBSEQUENT OR

AMENDED PLAT. 29 ADDITIONAL INFORMATION CONCERNING THE PLAT MAY BE OBTAINED

FROM THE OFFICE OF PLANNING & ZONING AND THE DEPARTMENT OF PUBLIC WORKS.

30. DATE OF C.R.G. APPROVAL: MAR 19, 1986 31. DEED REF. EHK JR 7222/026: VALLEY GATE LIMITED PARTNERSHIP

GAYLORD BROOKS REALTY GENERAL PARTHERSHIP

32. LOTS 14, 15, 16, 19, 20, 21 DENIED ACCESS TO PARK HEIGHTS AVE. 33. TAX. ACCT Nºs - 03-0310025600 , 03-0310025601 , 05-0313055950, 03-0313055625

SECTIVE WAS

NOTE: LOT 8 MUST CONNECT TO PUBLIC SEWER WHEN ITELIAN LOT PORTE BECOMES AVAILABLE.

SECTION ONE VALLEY GATE

3RD ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND SCALE: 1"=100" JUHE, 1986

> OWNER/DEVELOPER RICHARD A MOORE GAYLORD BROOKS REALTY, CO. PO BOX 193 PHOENIX, MARYLAND 21131

KIDDE CONSULTANTS, INC.

ENGINEERS • ARCHITECTS • PLANNERS 1020 CROMWELL BRIDGE ROAD TOWSON, MARYLAND 21204 PHONE: (301) 321-5500

COMPUTED C.F. BRAWN TLS CHECKED T.D.

APPROVED OFFICE OF PLANNING & ZONING

DEPARTMENT OF PUBLIC WORKS

DATE OF DIRECTOR COUNTY TO SENGINEER

STREETS and/or ROADS shown bereen and dedicated to public use; the fee simple title to the heds thereof is expressly reserved in the grantors of the deed to which this plat is attached, their

COORDINATES and BEARINGS shown in this plat are referred to by the system of coordinates established in The Baltimore County Metropolities Destrict and are based on the following traverse stations. TRAVERSE STATIONS: BCMD 13157 N 35611.44 W 31193.09

BCMD 13158 N35338.43 W30934 32

THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT HEREBY CERTIFIES THAT, TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENT OF SUBSECTION (C) OF SECTION S-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPILED WITH, INSOFAR AS SAME CONCERNS THE MAKING OF THE PLAT AND THE BETTING OF THE MARKERS.

OWNERS CERTIFICATE

COMPLIANCE WITH SUBSECTION (C) OF SECTION S-106 OF THE REAL PROPERTY ARTICLE OF ANNOTATED CODE OF MARYLAND, PARTICULARIES INSOFAR AS SAME CONCERNS THE MAKING OF THE PLAT AND THE BETTIME OF THE MARKERS

SURVEYORS CERTIFICATE

HE UNDERSIGNED A REGISTERED LAND SURVEYOR